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C O N F I D E N T I A L SECTION 01 OF 02 KABUL 000010

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SUBJECT: 2010 ELECTIONS: IEC ANNOUNCEMENT, INTERNATIONAL VIEWS

¶1. (C) Summary: Details about the 2010 elections came slightly more into focus on January 2 as the Independent Election Committee (IEC) announced the date and UNAMA convened international stakeholders. The IEC announced at a press conference the May 22 date for the Parliamentary elections and explicitly stated that District Council elections would not be possible. UNAMA SRSG Eide and international representatives discussed whether or not to try and move the election date and whether or not to support the election. No country has an official position yet. The President and IEC, along with legal experts, may meet January 3 to discuss reforms. End summary.

IEC Announces Election Date

¶2. (C) In a January 2 press conference at its headquarters, the IEC declared that the Parliamentary elections will be held on May 22. Afghan media had reported on January 1 the public statements of Zekria Barakzai, Deputy Chief Electoral Officer of the IEC, regarding the need for Parliament to approve the IEC's budget. Barakzai said that if the Lower House of Parliament does not approve the budget, the elections will be delayed anyway as the international community may not provide any assistance. Parliament members have been publicly questioning IEC funding on the basis of its 2009 performance.

¶3. (U) Daoud Najafi, Chief Electoral Officer explicitly stated that there are no plans to hold the District Council elections, previously scheduled to be held with the Parliamentary elections. No mention was made of the Mayoral elections, also technically scheduled for 2010. With no voter registration cards listing the holder's district, village, or city of residence, the primary obstacle to these sub-national elections would be the inability to determine where voters should be casting their ballots. At a working-level workshop for donors on November 16, The IEC had gone into great detail on all the reasons why District Council elections would be impossible in the 2010 electoral cycle leading the donor community to conclude a while ago that there was no prospect for District Council or Mayoral elections in 2010.

UNAMA and Donors Discuss 2010

¶4. (C) At a January 2 meeting with key international stakeholders, UNAMA SRSG Kai Eide described his meeting the day before with Karzai in which Karzai insisted on "Afghanization" of the elections, including a plan to replace all foreign Commissioners on the Electoral Complaints Commission (ECC) with Afghans. Eide said that he told Karzai that any change to the ECC needs to include added independence in its mandate. Eide speculated that because Karzai seemed flexible on the ultimate date of the elections, despite the IEC's announcement, the election date will eventually be moved back several months by the GiroA, for "security reasons". Russia noted that they had heard of a possible September date. Canada noted that it fundamentally

disagreed with the idea of Afghanization as leading to a more legitimate process on the grounds that the international make-up of the ECC in the previous election was the only element conferring any legitimacy on the proceedings.

¶5. (C) Eide reminded the group that UNAMA has no current mandate to support elections and said that UNAMA will not be out in front on pushing the GIRoA regarding changing the election date or any changes to the Constitution. Eide was adamant that the international community in general should remain on the sidelines regarding the requirements of the Afghan Constitution. Eide felt country and organization should reinforce its message separately to Karzai. When Norway asked how UNAMA would be engaging with Karzai on needed electoral reforms, Eide replied that the UN had no intention of opposing Afghanization as a principle but that technical reforms would have to take place if Afghans were going to be able to lead their own elections. Eide wants to press Karzai for a few months of delay based on the Electoral Law article that allows the IEC to postpone elections on an as-needed basis. Still, Eide reiterated that the political decision should be left to the GIRoA and the international community should concern itself only with the practical challenges presented. Germany expressed its support for this UNAMA stance as a way to prevent Karzai from blaming the international community for any delay.

¶6. (C) Karzai's Chief of Staff Daudzai reportedly had told UNAMA that while the international community's role in the Afghan elections was unclear, it was likely to become one of security and financial contributions. ISAF's representative noted that security should not be used as the sole reason for

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election delay but that the international community must recognize that if security forces are diverted to the elections, plans to combat the insurgency would be negatively affected.

¶7. (C) The UK representative noted repeatedly that he had heard of money being available in the UN's Elections Trust Fund and asked Eide if this was true. Eide was unaware of any financial analysis of remaining UN funds done to date. (Note: The donor community, despite repeated requests over the past year, has been unable to obtain any comprehensive UNDP report on funds it expended in the 2009 election. End Note.)

¶8. (C) CDA Ricciardone clarified that the media had given the wrong impression on the discussions with President Karzai held by CODEL Israel on December 29. Ricciardone said that while the U.S. has not yet taken a position, we do not want a repeat of 2009, nor do we want to use resources in support of an unreformed process. He added that reforms, not delay, were the primary U.S. concern. Ricciardone then asked the delegations if they had received instructions from their capitals on providing security or financial support. None of the donors had yet received any firm guidance.

¶9. (C) Meanwhile, Director of the Office of Administrative Affairs (which coordinates ministerial cooperation and presidential decrees) Mudabber told us January 2 that the President, the IEC, and 'legal experts' planned to meet January 3 to discuss legal reforms, presumably those which may be included in a presidential decree amending the Electoral Law during the upcoming Parliamentary recess. Mudabber asked about the reforms the U.S. saw as necessary; we noted the need for full independence of the IEC, clarification of its powers and those of the ECC, reforms to the civil registry and improved candidate vetting as some of the improvements most observers had called for.

RICCIARDONE